

GUIDANCE ON CASE PLANNING IN CROWN COURT CASES

1. You should normally undertake case planning in all contested Crown Court cases under the Contract). This applies to cases that crack before trial, and any guilty plea where there are difficult additional issues (e.g. relating to assets that may be the proceeds of crime).
2. Evidence of case planning is not normally required in the following case types:
 - (a) Cases where a guilty plea is decided upon at a very early stage, except where there are difficult additional issues (e.g. relating to assets that may be the proceeds of crime). Case plans should normally be prepared for cases which crack at a later stage;
 - (b) Appeals against conviction or sentence from the magistrates' court;
 - (c) Committals for sentence;
 - (d) Hearings post-sentence;
 - (e) Hearings concerning breaches of Crown Court orders;
 - (f) Contempt cases.
3. You should as matter of good practice retain evidence of case planning on the file. You should not send case plans to us for approval. We may check for evidence of case planning as part of our Contract Audit work. Peer reviewers may also look for evidence of case planning.
4. Your case planning should be proportionate to the size and complexity of the case, and need only consider the issues that are relevant. A formal case plan is one means of recording the thought process, but a memo from a Supervisor to a case-worker that considers all of the relevant issues and sets out clear review stages would be adequate evidence in a simpler case. It might also be contained in written instructions to an advocate, or advice letter(s) to the client, provided that this occurs in sufficient time for the plan to be implemented. It must provide adequate evidence that the planning has been carried out by someone with an appropriate skill level for the type of case.
5. Your case planning should normally:
 - (a) demonstrate appropriate analysis of the charges and the evidence that supports them;
 - (b) demonstrate consideration of the best strategy to adopt in the light of the relevant law;
 - (c) demonstrate consideration of potential lines of defence and the evidence and arguments that must be prepared;

- (d) define the work to be done (e.g. as a to do list) in order to prepare the evidence and arguments;
 - (e) allocate and timetable the work that must be done;
 - (f) be updated or revised if there is a significant change in circumstances or important new material comes to light;
6. There should be a named person responsible for the case plan and any updates required during the course of the case. This will normally be the caseworker who has been identified to the client as the person dealing with his case.
 7. You should normally make the client aware of the strategy and key dates within your planning, and any significant changes to your plan.